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**COMMENTS OF  
THE TRANSPORTATION TRADES DEPARTMENT, AFL-CIO**

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**IN RESPONSE TO**

**UNITED STATES DEPARTMENT OF TRANSPORTATION  
BUREAU OF TRANSPORTATION STATISTICS  
DOCKET No. BTS-98-4659 — 4 - 1**

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***Revision to Reporting Requirements for Motor Carriers of Property and Household Goods  
Supplemental Notice of Proposed Rulemaking***

April 22, 1999

The Transportation Trades Department, AFL-CIO (TTD), which represents several million workers in the transportation and related industries, submits comments on the Supplemental Notice of **Proposed** Rulemaking published by the Bureau of Transportation Statistics (**BTS**) on March 23, 1999. The BTS therein proposes to restrict public access to certain data contained in the annual and quarterly financial reports that motor carriers are required to file pursuant to the Interstate Commerce Act, as **amended**, 49 United States Code § 14123. Attached is a list of our affiliated unions.

TTD, first and foremost, writes to concur with the statement submitted by the International Brotherhood of Teamsters, and to express our vehement opposition to the proposed rule which, if adopted, would compromise the safety of the motor carrier industry, its employees and millions of highway users who depend on the Department of Transportation (DOT) to uphold the highest highway and truck safety standards possible. Clearly, the BTS proposal violates the Administration's

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commitment to achieve zero tolerance for accidents and deaths in the transportation industry by denying the public unencumbered access to vitally important safety data.

Under current law, data contained in individual motor carrier reports are made available to the public. The DOT is permitted to consider withholding this information from public release in those **situations** where the carrier can show that competitive harm would result. The BTS however proposes **to** change current law and withhold from the public, for up to three years, certain data contained in individual motor carrier reports including operating statistics, revenue equipment and employment information such as total compensation and miles operated.

TTD continues to maintain that this data is an essential component to promoting safe motor carrier **operations**. As the General Accounting Office has concluded, a motor carrier's financial condition is an accurate predictor of future accident rates. *See Freight Trucking: Promising Approach for Predicting Carriers Safety Risks* (General Accounting Office, April 1991). One of the justifications for allowing access to certain information from motor carriers is that it enables the public including employees and their unions to evaluate the safety of motor carriers.

Transportation labor has witnessed the serious consequences of motor carriers sacrificing safety to achieve cost reductions. One of many examples is the critical need for employees to receive comprehensive training on emergency recognition and response to unintended releases of hazardous materials in transportation. Lack of adequate training leaves reaction and response by these employees to chance, and the potential ramifications could mean the difference between a small incident and a major catastrophe.

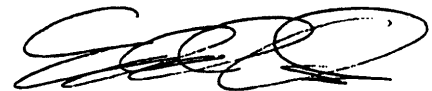
Safety, and in particular worker safety, would suffer severely if this type of training is abandoned by motor carriers that are in poor financial condition. Such carriers pursue all possible

steps to cut costs, including those that present serious **safety** risks. But by requiring public access to data contained in motor carrier reports, the government as well as workers can review the financial status of **the** motor carriers to ensure that those carriers who are most likely to create **safety** risks are subject to oversight and evaluation.

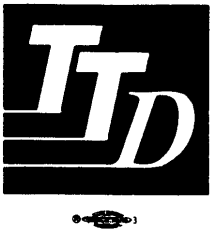
Unfortunately, if this data remains unavailable for three years, then the ability of the public to calculate safety data, such as how much is spent per mile and how many miles are driven per driver. will also be unavailable.

It is, therefore, imperative that the Bureau withdraw this proposal to restrict public access to **data** contained in the annual and quarterly financial reports of motor carriers. If implemented over the objections raised herein, this proposal would undermine the safety of motor carriers, its **drivers** and the traveling public.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Edward Wytkind', with a large, stylized flourish at the end.

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## ***TTD AFFILIATES***

***The following labor organizations are members of and represented by the TTD:***

*Air Line Pilots Association  
Amalgamated Transit Union  
American Federation of State, County and Municipal Employees  
American Federation of Teachers  
Association of Flight Attendants  
American Train Dispatchers Department  
Brotherhood of Locomotive Engineers  
Brotherhood of Maintenance of Way Employees  
Brotherhood of Railroad Signalmen  
Communications Workers of America  
Hotel Employees and Restaurant Employees Union  
International Association of Fire Fighters  
International Association of Machinists and Aerospace Workers  
International Brotherhood of Boilermakers, **Blacksmiths**, Forgers and Helpers  
International Brotherhood of Electrical Workers  
International Brotherhood of Teamsters  
International Longshore and Warehouse Union  
International Union of Operating Engineers  
Marine Engineers Beneficial Association  
National Air Traffic Controllers Association  
Professional Airways Systems Specialists  
Retail, Wholesale and Department Store Union  
Service Employees International Union  
Sheet Metal Workers International Association  
Transportation Communications International Union  
Transport Workers Union of America  
United Brotherhood of Carpenters and Joiners of America  
United Mine Workers of America  
United Steelworkers of America  
United Transportation Union*